

By: Taylor of Galveston

S.B. No. 2240

A BILL TO BE ENTITLED

AN ACT

relating to health care information provided by certain freestanding emergency medical care facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 241.252, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) A facility described by Section 241.251 shall post notice that states:

(1) that the facility is a freestanding emergency medical care facility and not an urgent care center;

(2) that the facility charges rates comparable to a hospital emergency room and may charge a facility fee;

~~(3) [that a facility or a physician providing medical care at the facility may not be a participating provider in the patient's health benefit plan provider network, and~~

~~[(4)]~~ that a physician providing medical care at the facility may bill separately from the facility for the medical care provided to a patient;

(4) any facility fee charged by the facility will be disclosed at the time of service to a patient upon request; and

(5) either:

(A) that the facility does not participate in a provider network; or

1 (B) that the facility participates in a provider
2 network.

3 (6) State and federal laws require health plans to
4 cover emergency services at the in network level of benefits. An
5 out-of-network provider can bill you for amounts in addition to the
6 applicable copay, coinsurance and deductible amounts. Depending on
7 your health benefit plan, you may be responsible for all charges in
8 excess of your health plan's allowable amount for out-of-network
9 providers.

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11 SECTION 2. Section 254.155, Health and Safety Code, is
12 amended by amending Subsection (a) and adding Subsection (a-1) to
13 read as follows:

14 (a) A facility shall post notice that states:

15 (1) that the facility is a freestanding emergency
16 medical care facility and not an urgent care center;

17 (2) that the facility charges rates comparable to a
18 hospital emergency room and may charge a facility fee;

19 (3) ~~[that a facility or a physician providing medical~~
20 ~~care at the facility may not be a participating provider in the~~
21 ~~patient's health benefit plan provider network; and~~

22 [~~4~~] that a physician providing medical care at the
23 facility may bill separately from the facility for the medical care
24 provided to a patient;

25 (4) any facility fee charged by the facility will be
26 disclosed at the time of service to a patient upon request; and

27 (5) either:

1 (A) that the facility does not participate in a
2 provider network; or

3 (B) that the facility participates in a provider
4 network.

5 (6) State and federal laws require health plans to
6 cover emergency services at the in network level of benefits. An
7 out-of-network provider can bill you for amounts in addition to the
8 applicable copay, coinsurance and deductible amounts. Depending on
9 your health benefit plan, you may be responsible for all charges in
10 excess of your health plan's allowable amount for out-of-network
11 providers.

12
13 SECTION 3. Notwithstanding Sections [241.252](#) and [254.155](#),
14 Health and Safety Code, as amended by this Act, a freestanding
15 emergency medical care facility is not required to comply with
16 those provisions until January 1, 2018.

17 SECTION 4. This Act takes effect September 1, 2017.